

December 29, 2014

West Des Moines City Council Proceedings
Monday, December 29, 2014

Mayor Pro tem Kevin L. Trevillyan opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, December 29, 2014 at 5:30 PM. Council members present were: R. Messerschmidt, J. Mickelson, and K. Trevillyan. Council member J. Sandager participated via telephone.

On Item 1. Agenda. It was moved by Messerschmidt, second by Mickelson approve the agenda as presented.

Vote 14-607: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 2. Public Forum:

Mayor Pro tem Trevillyan presented a "Key to the City" to Mason Mitchell, a native of West Des Moines and winner of the 2014 Automobile Racing Club of America (ARCA) Series Championship.

On Item 3. Council/Manager/Other Entities Reports:

Council member Messerschmidt reported he attended a meeting of the Public Works Subcommittee, where discussion was held on the Valley Junction Alleys - Phase 4 project and the possibility of installing meters at the I-235 on-ramps to alleviate traffic congestion.

On Item 4. Consent Agenda.

It was moved by Messerschmidt, second by Mickelson to approve the consent agenda as presented.

- a. Approval of Minutes of December 15, 2014 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 - 1. Blue Tomato, Inc., d/b/a Blue Tomato Kitchen, 860 1st Street - Class BW Permit with Sunday Sales - Renewal
 - 2. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - January 12, 2015
 - 3. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - January 21-22, 2015

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4. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - January 28, 2015
5. Richard Scott Baskerville, d/b/a Scott's Shoppe, 542 5th Street - Class BC Beer Permit - Renewal
6. Cherry Madole and Susan Madorsky d/b/a The Tangerine Food Company, 1960 Grand Avenue, Suite #21 - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
7. Kwik Trip, Inc. d/b/a Tobacco Outlet Plus #565, 1220 Grand Avenue, Suite 101 - Class BC Beer Permit with Sunday Sales - Renewal
- d. Approval to Sell Surplus City Equipment
- e. Authorizing Applications for Surface Transportation Program Funding - Various Public Works Projects
- f. Accept Work:
 1. City Hall HVAC System Improvements
 2. Exterior Lighting Retrofit - Fire/EMS Station 21
- g. Approval of Professional Services Agreement - 318 5th Street Building Renovation
- h. Approval and Acceptance of Purchase Agreements and Easements - Frink Creek Sanitary Sewer Project
- i. Proclamation - Recognition of Mason Mitchell

Vote 14-608: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 5(a) 98th Street Planned Unit Development, southeast corner of University Avenue and 98th Street - Amend the Planned Unit Development (PUD) to Change the Front Yard Setback along Bishop Drive for PUD Parcel B, initiated by Hawthorne Plaza, LLC

It was moved by Messerschmidt, second by Mickelson to consider the second reading of the ordinance.

Vote 14-609: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 14-610: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

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It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 14-611: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 5(b) Amendment to City Code - Title 9 (Zoning), Chapter 1 (Entitlements, Process and Procedures), Section 8-A-4 (Entitlements, Processes and Procedures) - Minor Modification Ordinance Amendment, initiated by the City of West Des Moines

It was moved by Messerschmidt, second by Mickelson to consider the second reading of the ordinance.

Vote 14-612: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 14-613: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 14-614: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 6(a) Tallyn's Reach (a/k/a Woodland Hills and Michael's Landing), southwest corner of Mills Civic Parkway and South 91st Street - Amend the Comprehensive Plan Land Use Designation and Zoning Allowed for the Western 9.54 acres of Tallyn's Reach PUD Parcels A and B from Office to Residential High Density for the Development of Senior Apartments, initiated by Calamar and Blue Forest Land Group

Mayor Pro tem Trevillyan noted staff is recommending the Council continue the Public Hearing to January 12, 2015.

It was moved by Mickelson, second by Messerschmidt to adopt Motion - Continue Public Hearing to January 12, 2015.

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Vote 14-615: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 6(b) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Project Alluvion, southeast corner of South 8th Street and Pine Avenue - Agreement for Private Development, initiated by Microsoft Corp. He asked for the date the notice was published and the City Clerk indicated the notice was published on December 24, 2014 in the Des Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Pro tem Trevillyan asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Mickelson to adopt Resolution - Approval of Agreement.

Vote 14-616: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 7 - New Business: no items

On Item 8(a) Comprehensive Annual Financial Report - 2013-14 FY - Received and Filed

On Item 8(b) West Des Moines Water Works - 2015 Budget - Received and Filed

On Item 8(c) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) and Chapter 10 (Performance Standards) - Amend SIC 7212 to Allow Cleaners with Limited Equipment in All Commercial, Office, and Industrial Zoning Districts and Add Language Identifying Specific Regulations for Dry Cleaners Operating Under SIC 7212- City Initiated - Referred to Plan and Zoning Commission

On Item 9 - Other Matters: none

The meeting was adjourned at 5:54 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

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ATTEST:

Kevin L. Trevillyan, Mayor Pro tem